

REMARKS

In the Office Action the Examiner noted that claims 1-12 are pending in the application, and the Examiner rejected all claims. By this Amendment, claims 1 and 9-12 have been amended. No new matter has been presented. Thus, claims 1-12 remain pending in the application. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

Objection To the Specification

In item 2 on page 2 of the Office Action the Examiner objected to the Amendment filed on August 31, 2006, alleging that the amendment introduced new matter into the disclosure. The Examiner alleged that the original disclosure does not support the feature of "being independent of any particular user."

The Applicants respectfully disagree with the Examiner's understanding of the language cited above. The Applicants respectfully submit that environmental conditions being independent of any particular user indicates that the conditions are not suited for only one, hence "any particular", user. However, the Examiner has apparently interpreted the language as indicating that there is no user for which the conditions are applicable. The Applicants respectfully submit that this is not a proper interpretation of the language presented.

Nevertheless, the independent claims of the present application have been amended to more clearly indicate that the environmental conditions are applicable to more than one user. Thus, the Applicants respectfully request the withdrawal of the Examiner's objection to the specification.

Claim Rejections Under 35 USC §112

In items 4-5 on pages 3-4 of the Office Action the Examiner rejected claims 1-12 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. The Examiner alleged that the feature of "being independent of any particular user" is not supported in the specification. As stated in the previous section of this Amendment, the language cited by the Examiner is no longer recited in the independent claims.

The Examiner also rejected claims 1-12 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Examiner alleged that it is not clear how values of the information are customized for the user.

The Applicants respectfully submit that the Examiner has perhaps mistaken the user conditions for the information of which the values are customized (the Examiner asked if the user's values are changed). Claim 1 recites "customizing values of the information", this information being provided by a predetermined information provider, and to which the environmental conditions are related. The customized values of the information are structured in conformity with the environmental conditions with respect to the user conditions. For example, one such embodiment enabled by the specification describes this customized information as a combination of telephone companies with the cheapest telephone charge according to the place of the fixed telephone specified by the user. The fixed telephone would be included in the user conditions, while the environmental conditions would include the service area of each telephone company and their respective charges. Therefore, the Applicants respectfully submit that the features recited in the independent claims are enabled by several different embodiments described in the specification, and respectfully request the withdrawal of the Examiner's §112 rejections.

The Examiner also alleged that the "problem-solving process" recited in claim 12 is not enabled by the specification. However, the Applicants respectfully submit that the specification provides several examples of problem-solving in the various embodiments described. Support for this feature of claim 12 can be found at least on page 9, lines 13-16; page 12, lines 4-9; page 13, lines 7-22; page 22, lines 2-15; page 23, lines 16-24; and Fig. 9. In particular, problem solving processes such as combination optimization, numerical calculation, pattern matching, etc., may be executed.

For example, a problem-solving process such as optimization based on a combination of telephone companies: program 1 and calculation part of telephone charges: program 5 may be executed to customize general information based on user attributes and environmental conditions of a provider, and provide specific information to the user. Applicable telephone subscription information of users A and B who live in different locations is provided based on user conditions (i.e., user A makes International calls while user B does not) and environmental conditions (i.e., charges determined by the phone company) in accordance results of a predetermined problem solving process of calculation specific to the users.

As such, the invention of claim 12 customizes information including values thereof by executing a predetermined problem-solving process (i.e., rule-based reasoning, searches, comparative calculations, etc.) based on user attributes and environmental conditions applicable to plurality of users.

Therefore, the Specification as filed discloses sufficient information pertaining to the problem solving process to enable one of ordinary skill in the art to make and use the invention. As such, the Applicants respectfully submit that claim 12 complies with the requirements of §112, and further respectfully requests the withdrawal of the Examiner's §112 rejections.

Claim Rejections Under 35 USC §103

In items 6-10 on pages 4-6 of the Office Action the Examiner rejected claims 1-12 under 35 U.S.C. §103(a) as being anticipated by U.S. Patent No. 6,052,714, issued to Miike et al. (hereinafter referred to as "Miike") in view of U.S. Patent No. 6,138,142, issued to Linsk (hereinafter referred to as "Linsk"). The Applicants respectfully traverse the Examiner's rejections of these claims.

Claim 1 of the present application, as amended, recites "storing environmental conditions that are predetermined conditions for an event relating to information provided by a predetermined information provider, the environmental conditions being applicable to a plurality of users." The Applicants respectfully submit that neither of the cited references, either alone or in combination, disclose or suggest at least this feature of claim 1.

Miike discloses a method of providing abstracts of articles to a user according to a user profile stored for the user. Searched for words in the articles are weighted according to the user's interest, and the search of the articles is conducted on the basis of those weighted terms. Sentences are accordingly extracted from the articles and combined to form the abstracts that are provided to the user. However, Miike does not disclose or suggest storing environmental conditions for an event relating to information provided by an information provider, the environmental conditions being applicable to a plurality of users. This is in direct contrast to claim 1 of the present application.

The Examiner stated that Miike discloses, in Lines 32-36 of Column 3, storing environmental conditions that are predetermined conditions for an event relating to information provided by a predetermined information provider. However, the cited section of Miike merely

describes retrieving a user profile which includes a plurality of predetermined themes or topics set for that particular user. The Examiner apparently cites this same information (i.e., the user profile) as another recited element of claim 1 of the present application, namely the user conditions acquired “from the terminal of the user through the network, the user conditions being input by the user and relating to and being specific to the user.” However, the Applicants respectfully submit that it would be quite clear to one skilled in the art that the user profile of Miike cannot suffice as being both the user conditions and the environmental conditions recited in claim 1 of the present application.

Further, this deficiency of Miike is not cured by Linsk, which discloses a server to retrieve demographic information associated with a requestor of content, and customizing the content according to the demographic information. The Examiner stated that Linsk “teaches conditions determined by the system that are based on the users geographic location (C. 3 l. 20-25).” However, all of the information used in Linsk is applicable only to that particular user. The geographic location described by the Examiner is simply part of the particular user’s profile, as illustrated at least in Figure 2 of Linsk. “When the user connects to the WWW and requests data, the web servers access the requester’s profile and customize their response to the request based upon the profile” (Column 3, Lines 44-46). Therefore, Linsk does not disclose or suggest “storing environmental conditions that are predetermined conditions for an event relating to information provided by a predetermined information provider, the environmental conditions being applicable to a plurality of users.”

In order to make a proper rejection of a claim under 35 U.S.C. §103, the cited references must disclose all of the features of the rejected claims. Therefore, as neither of the cited references disclose or suggest at least the features of claim 1 discussed above, it is respectfully submitted that claim 1 patentably distinguishes over the cited references.

Additionally, the Applicants respectfully submit that there is no motivation to combine Miike and Linsk. The Examiner alleged that it would have been obvious to one of ordinary skill in the art to combine Linsk with Miike “as requirements for laws governing the users location need to be followed.” However, Linsk merely uses demographic information as a whole, only a small part of which being geographic location, for targeted advertising, while Miike delivers abstracts of articles. There is no suggestion in either reference of censoring content, or any other legal requirement that the Examiner intended. Thus, the Applicants respectfully submit that the Examiner has not provided the requisite motivation for combining the cited references.

Claims 2-8 depend from claim 1 and include all of the features of that claim plus additional features which are not disclosed or suggested by Miike. Therefore, it is respectfully submitted that claims 2-8 also patentably distinguish over Miike.

Claims 9-12 of the present application recite similar features to those discussed above with respect to claim 1. For instance, claim 9 recites "predetermined conditions being independent of any particular user and used to determine contents of the information with respect to the user," and claim 11 recites "predetermined conditions of the information, which are independent of any particular user, to customize the information and determine content of the information with respect to the user." Therefore, it is respectfully submitted that claims 9-12 also patentably distinguish over the Miike.

Summary

In accordance with the foregoing, claims 1 and 9-12 have been amended. No new matter has been presented. Thus, claims 1-12 are pending and under consideration.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 06/05/07

By: Thomas L. Jones
Thomas L. Jones
Registration No. 53,908

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501